

REMARKS

This communication is in response to the Office Action mailed on October 16, 2008. The Examiner rejected claims 1, 4, 7-8, 12-14, 16-17, 19, 21-24 and 37-41. Claims 1 and 19 have been amended. In view of the foregoing amendments and following remarks, Applicant requests further examination and reconsideration of the present application.

Rejections under 35 U.S.C 103

Claims 1, 4, 7-8, 16, 19, 37-38 and 41 were rejected under 35 U.S.C 103(a) as being unpatentable over US Patent No. 6,822,698 (hereinafter, "Clapper") in view of US Patent No. 7,132,973 (hereinafter, "Jindal"), and in view of US Publication No. 2002/0175944 (hereinafter, "Kolde").

Claim 1 has been amended to more fully distinguish the present patent application over the cited references. Claim 1 recites "...updating said three-dimensional representation to display a three-dimensional animation of the button being depressed on the three-dimensional representation of the physical universal remote control to indicate to the user that the command was received by the media center, *wherein updating said three-dimensional representation comprises displaying a three-dimensional perspective view of the button being depressed on the three-dimensional representation of the physical universal remote control.*" Italics indicate amended subject matter. Support for the amendment can be found in Figs. 6A, 6B and 6C and its accompanying text in paragraphs [0043]-[0045] of the Applicant's specification. No new matter has been added.

The Examiner acknowledges that the combination of Clapper and Jindal fails to disclose the claimed limitation of "...updating said three-dimensional representation to display a three-dimensional animation of the button being depressed on the three-dimensional representation of the physical universal remote control to indicate to the user that the command was received by the media center..." However, the Examiner relies upon Kolde to overcome this deficiency in Clapper and Jindal. Kolde discloses a technique by which an icon on a display device can be visually emphasized by either highlighting, illuminating, enlarging, rotating, translating or scaling the icon to attract a user's attention. However, the nature of the animation of the icon performed in Kolde is *two-dimensional*. Kolde does not show or suggest a technique to

“...display a *three-dimensional animation* of the button being depressed...”, as disclosed and claimed in the present application.

The Examiner contends that Kolde’s display of an animated button in a screen display through an overlay corresponds to an icon exhibiting depth, and points to the material in paragraph [0070] to teach this feature. However, “superimposing” an icon over displayed programming using a semitransparent graphical overlay to create a layer of “depth” between the icon and the displayed programming does not correspond to displaying an icon having depth. In contrast, the present application discloses a technique to *display a three-dimensional perspective view of the button being pressed*. In an effort to more clearly distinguish the claimed technique from Kolde, Applicant respectfully requests the Examiner to refer to the illustration of Fig. 6C in the present application, reproduced below for the convenience of the Examiner.

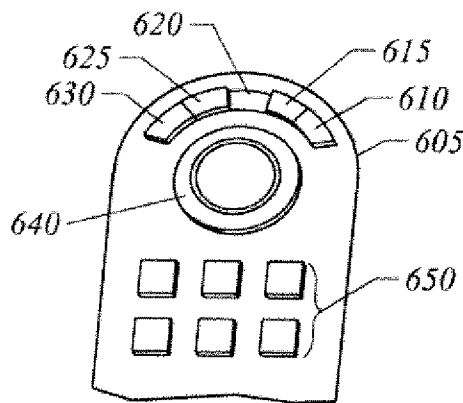


FIG. 6C

As illustrated in Fig 6C, a three-dimensional perspective view of the button 620 being pressed is displayed on the three-dimensional representation of the physical universal remote control. Observe that the three-dimensional perspective view of the button 620 portrays height, width and depth so that the user can get a more realistic image of the button. See also, e.g., <http://www.computerhope.com/jargon/p/perspect.htm> (providing a formal definition of a perspective view of a three-dimensional image). A practitioner in the relevant art would understand that overlaying an icon on displayed programming is distinct from and in no way corresponds to displaying a “..three-dimensional perspective view of the button being pressed...”, as recited in claim 1. Specifically, Kolde does not show or suggest a technique for

"...displaying a three-dimensional perspective view of the button being depressed on the three-dimensional representation of the physical universal remote control", as currently claimed.

Applicant interprets the Office Action as stating that the proposed modification is to modify the system of Clapper to have a 3D animation of the button press, to visually enhance the representation to the user. However, and as for the reasons presented above, *Kolde does not show or suggest a technique to display a three-dimensional perspective view of the button being pressed.* This deficiency of Kolde is not remedied by the teachings of the other cited references. In sum, Kolde, individually or in combination with Clapper and Jindal, fails to disclose a technique to *"...display a three-dimensional animation of the button being depressed on the three-dimensional representation of the physical universal remote control to indicate to the user that the command was received by the media center, wherein updating said three-dimensional representation comprises displaying a three-dimensional perspective view of the button being depressed on the three-dimensional representation of the physical universal remote control."*

In view of the foregoing deficiencies in the teachings of the prior art, the references cannot establish a prima facie case of obviousness of claim 1. Accordingly, claim 1 is believed to be clearly patentable over the cited combination. Its reconsideration and allowance is respectfully requested. Claims 4, 7, 8, 12, 13, 14, 16 and 17 depend from presumably allowable independent claim 1. Accordingly, their allowance is requested. Claim 19 has been amended to include features similar to those discussed above in connection with claim 1. Therefore, claim 19 and its dependent claims 21-24 and 37-41 should also be in a condition for allowance.


In sum, all pending claims should now be in a condition for allowance. If there are any residual issues that need to be resolved prior to allowing the application, the Examiner is requested to contact the undersigned.

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